

EXHIBIT 7

1 NICOLA T. HANNA
United States Attorney
2 BRANDON D. FOX
Assistant United States Attorney
3 Chief, Criminal Division
BRUCE K. RIORDAN (Cal. Bar No. 127230)
4 Assistant United States Attorney
Violent & Organized Crime Section
5 1300 United States Courthouse
312 North Spring Street
6 Los Angeles, California 90012
Telephone: (213) 894-0480
7 Facsimile: (213) 894-0140
E-mail: bruce.riordan@usdoj.gov
8

Attorneys for Applicant
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 IN THE MATTER OF THE SEARCH OF:

No. 20-1789-MJ

13 Three Digital Devices Seized
14 from 3052 West Cheryllyn Lane,
15 Anaheim, California.

GOVERNMENT'S EX PARTE APPLICATION
FOR EXTENSION OF TIME WITHIN WHICH
TO RETAIN AND SEARCH DIGITAL
EVIDENCE; DECLARATION OF BRUCE K.
RIORDAN

(UNDER SEAL)

16
17
18 The United States of America, by and through its counsel of
19 record, Assistant United States Attorney Bruce K. Riordan, hereby
20 applies for an order extending by 120 days the time within which the
21 government may retain and search digital evidence obtained pursuant
22 to a federal search warrant obtained under 18 U.S.C. § 2703.
23

24 //

25 //

26 //

1 This application is based on the attached declaration of Bruce
2 K. Riordan and the files and records of this case, including the
3 underlying search warrant and affidavit in support thereof.

4 Dated: September 30, 2020

Respectfully submitted,

5 NICOLA T. HANNA
6 United States Attorney

7 BRANDON D. FOX
8 Assistant United States Attorney
9 Chief, Criminal Division

9 /s/
10 _____
11 BRUCE K. RIORDAN
12 Assistant United States Attorney

13 Attorneys for Applicant
14 UNITED STATES OF AMERICA
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF BRUCE K. RIORDAN

I, Bruce K. Riordan, hereby declare and state:

1. I am an Assistant United States Attorney assigned to seek an extension of time to conduct searches related to the investigation of this matter.

2. This declaration is made in support of a request for an order permitting the government to retain and search, pursuant to the terms of the original warrant in this matter, for an additional 120 days, the content of the following three digital devices (the "SUBJECT DIGITAL DEVICES") obtained pursuant to the warrant described below:

a. Black LG Android cell phone, Model Number LGLS991, IMEI Number 357355062960973, with cord (hereinafter "SUBJECT DEVICE 1");

b. Silver Samsung cell phone with broken screen, Model Number SM-J327P (hereinafter "SUBJECT DEVICE 2"); and

c. Gold LG Cell Phone with broken screen, Model Number LS990, Serial Number 410KPVH0351583 (hereinafter "SUBJECT DEVICE 3").

3. By way of the background, on March 5, 2018, Federal Bureau of Investigation ("FBI") agents executed a Federal search warrant on the 3052 West Cherylllyn Lane in Anaheim, California (the "SUBJECT PREMISES"). The warrant, which is incorporated herein by reference, authorized the seizure of digital devices from the SUBJECT PREMISES for a period of 120 days to allow the government to search such devices for evidence of violations of Title 18, United States Code, Sections 2252A(a)(2) (receipt and distribution of child pornography), 2252A(a)(5)(B) (possession of child pornography). During the

1 execution of the search, FBI seized numerous digital devices,
2 including the SUBJECT DIGITAL DEVICES.

3 4. After the original search and seizure described above, FBI
4 Special Agent ("SA") Benjamin Cook of the Federal Bureau of
5 Investigation, took over as case agent for the investigation
6 associated with this matter.

7 5. On April 21, 2020, SA Cook sought and obtained a federal
8 search warrant pursuant to 18 U.S.C. § 2703 issued by the Honorable
9 Gail Standish, United States Magistrate Judge, authorizing a 120 day
10 period of time to conduct the search of information associated with
11 the three SUBJECT DIGITAL DEVICES, all of which were stored at
12 premises controlled by the FBI. This search warrant, CR 20-1789-MJ,
13 which is incorporated herein by reference, authorized the search of
14 digital evidence provided by the Provider for a period of 120 days
15 for evidence of violations of Title 18, United States Code, Sections
16 2252A(a) (2) (Receipt and Distribution of Child Pornography) and
17 2252A(a) (5)(B) (Possession of Child Pornography).

18 6. The original deadline by which the government was
19 authorized to complete its review of the SUBJECT DIGITAL DEVICES was
20 August 19, 2020. Since the 120-day time period expired on August 19,
21 2020, SA Cook has informed me that no additional searching of the
22 SUBJECT DIGITAL DEVICES has occurred after that date.

23 7. Based on information provided to me by SA Cook, I
24 understand that during this period of authorized search, multiple
25 images were observed on the SUBJECT DIGITAL DEVICES, include:

26 a. Approximately 760 images and videos consistent with
27 Child Sexual Abuse Material on SUBJECT DEVICE 2.

1 b. Approximately 400 images and videos consistent with
2 Child Sexual Abuse Material on SUBJECT DEVICE 3.

3 c. The digital evidence on the SUBJECT DIGITAL DEVICES
4 consists of approximately 90 gigabytes of information.

5 8. For the following reasons, the government is requesting an
6 additional 120 days to complete its review of the SUBJECT DIGITAL
7 DEVICES:

8 a. The forensic review of digital evidence is time
9 consuming. The digital evidence on the SUBJECT DIGITAL DEVICES
10 needed to be uploaded into an FBI forensic machine and accessed via
11 an email client program. Each image and video needed to be reviewed
12 by agents familiar with the investigation and with what constitutes
13 Child Sexual Abuse Material ("CSAM") per Federal statute.

14 b. As noted above, the digital evidence on the SUBJECT
15 DIGITAL DEVICES consists of approximately 90 gigabytes of
16 information. Based on my training and experience, and my discussions
17 with SA Cook and other investigators, I am aware that one gigabyte
18 could hold the contents of about ten yards of books on a shelf and
19 one hundred gigabytes could hold an entire library floor of academic
20 journals. Therefore, 90 gigabytes of information is a very
21 substantial amount of data to review.

22 c. The review process for large amounts of digital data
23 is time consuming in general and even more time consuming in matters
24 involving CSAM such as this matter. Owing to the especially
25 sensitive the nature of potential CSAM material, potential CSAM
26 materials must be reviewed at dedicated work spaces for federal law
27 enforcement and cannot be reviewed at home by federal agents like SA
28 Cook.

NICOLA T. HANNA
United States Attorney
BRANDON D. FOX
Assistant United States Attorney
Chief, Criminal Division
BRUCE K. RIORDAN (Cal. Bar No. 127230)
Assistant United States Attorney
Violent & Organized Crimes Section
1300 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
Telephone: (213) 894-0480
Facsimile: (213) 894-3713
E-mail: bruce.riordan@usdoj.gov

Attorneys for Applicant
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

IN THE MATTER OF THE SEARCH OF:

No. 20-1789-MJ

Three Digital Devices Seized from
3052 West Cherylllyn Lane,
Anaheim, California.

~~PROPOSED~~ ORDER ALLOWING
EXTENSION OF TIME WITHIN WHICH TO
RETAIN AND SEARCH DIGITAL DEVICES

(UNDER SEAL)

The Court has read and considered the Ex Parte Application for First Extension of Time to Retain and Search Digital Devices and the Declaration of Bruce K. Riordan (the "Extension Application") filed by the government in this matter on September 30, 2020. The Court hereby incorporates by reference into this Order all of the facts and circumstances described in the Extension Application, including the government's description of the three (3) SUBJECT DIGITAL DEVICES contained in the Extension Application.

For good cause shown, IT IS HEREBY ORDERED that the government may retain and search the SUBJECT DIGITAL DEVICES described in the Extension Application, pursuant to the terms of the original warrant

1 in this matter, No. 20-1789-MJ, for an additional 120 days beyond the
2 time period previously authorized.

3
4 9/30/2020

5 DATE



HON. JOHN E. MCDERMOTT
UNITED STATES MAGISTRATE JUDGE

6 Presented by:

7 s/Bruce K. Riordan

8 Bruce K. Riordan
9 Assistant United States Attorney